Policy/Contractual Changes

Master Solicitation for Commodity Procurements
Vendor Qualification Requirements
Master Solicitation for Commodity Procurements (MSCP)

- Single Master Solicitation for all sealed bidding purchases
- Uses Commercial Item Contracting terms from the FAR – different format & clauses/provisions
- Reconciles some differences in contracting requirements
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Master Solicitation - Format

- Uses Commercial Item Contracting format from the FAR:
  Part I – General Information
  Part II – Contract Clauses
  Part III – Exhibits, Specifications (IBR)
  Part IV – Solicitation Provisions
Master Solicitation - Format

• Uses Commercial Item Contracting terms from the FAR – different format:
  Part I – General Information
  Part II – Contract Clauses – arranged by subject (from FAR, AGAR, AMS clauses)
  Part III – Exhibits, Specifications (IBR)
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Master Solicitation - Format

• Uses Commercial Item Contracting terms from the FAR – different format:
  
  Part I – General Information  
  Part II – Contract Clauses  
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Master Solicitation

Clauses and Provisions numbering

52.212-1
452.212-1
4A52.212-1
Master Solicitation

Clauses and Provisions numbering - Source

52.212-1    “52” is FAR numbering
452.212-1   “452” is AGAR numbering
4A52.212-1  “4A52” is AMS numbering
Master Solicitation

Clauses and Provisions numbering - Subject

52.212-1 “12” FAR Part 12, Commercial
452.212-1 Item Contracting
4A52.212-1

In the MSCP, like subjects are group together. When that number changes, it is a new subject.
E.g., “14” is Sealed Bidding
Master Solicitation

Clauses and Provisions numbering - Subject

52.214-1

How do I know the subject?

– Correspond with FAR Parts

– FAR Parts are “in order” of the acquisition process
Master Solicitation

FAR – see https://www.acquisition.gov/

Click “Federal Acquisition Regulation”
Click “Table of Contents”

Part 1  FAR System
Part 2  Definitions...
Part 4  Administrative Matters
Part 5  Publicizing Actions...
Part 9  Contractor Qualifications...
Part 16 Contract Types...
Part 42 Administration...
Part 49 Terminations...
Part 52 Clauses & Provisions
Master Solicitation

FAR Commercial Item Contracts
– Fewer clauses & provisions (5 basic)
  52.212-1, 52.212-2, 52.212-3, 52.212-4, 52.212-5
  – Clause 52.212-4 Closer to non-governmental contracts (UCC)
  – Clause 52.212-5 Incorporates legally required clauses by reference
  – Provision 52.212-1 Instructions to Offerors
  – Provision 52.212-2 Evaluation
  – Provision 52.212-3 Certification and Representations
Master Solicitation

FAR Commercial Item Contracts

– Fewer clauses & provisions (5 basic)
  52.212-1, 52.212-2, 52.212-3, 52.212-4, 52.212-5
  – Clause 52.212-4 Contract terms & conditions (similar to UCC)
  – Clause 52.212-5 Clauses to implement statutes & EO (by reference)

– Provision 52.212-1 Instructions to Offerors
– Provision 52.212-2 Evaluation
– Provision 52.212-3 Certification and Representations

Provisions apply to solicitations & “drop off”
Master Solicitation – Part II

FAR Commercial Item Contracts
– Clause 52.212-4 Contract terms & conditions
  • Standard paragraphs
  • Addenda to paragraphs (e.g., many of our payment terms are stepped up from the standard prompt pay dates; changes clauses)

Let’s Look!
Master Solicitation – Part II

FAR Commercial Item Contracts
- Additional clauses specific to, e.g.,
  • Sealed bidding
  • Invoicing requirements
  • USDA Foods specific: seals on conveyances, Advanced Shipping Notices

Let’s Look!
Master Solicitation – Part II

FAR Commercial Item Contracts

– Clause 52.212-5 Clauses to implement statutes & EO
  • Contracting officer checks those that apply

Let’s Look!
Master Solicitation – Part III

Part III – Exhibits, Specifications

**Note commodity specifications are incorporated by reference. Part III includes a link to AMS’ website.**
Master Solicitation – Part IV

FAR Commercial Item Contracts
– Provision 52.212-1 Instructions to Offerors
  • Tailored to reflect the electronic bidding requirement (use of WBSCM)

Let’s Look!
Master Solicitation – Part IV

FAR Commercial Item Contracts
– Provision 52.212-2 Evaluation
  • Notes FAR Part 14 requirement to consider only price, and price-related factors (e.g., transportation)

Let’s Look!
Master Solicitation – Part IV

FAR Commercial Item Contracts

– Provision 52.212-3 Certification & Representations
  • Notes incorporated in part only
  • Use of SAM is required, so the only applicable portion of 52.212-3 is if there are changes to your SAM record

**Pay attention to your bid certification questions as there is a place in WBSCM to enter 52.212-3 updates**
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- Reconciles some differences in contracting requirements
  - Updated NAICS codes & associated size standards
  - Delivery appointment timeframes
  - Bill of Lading contents
  - Food defense plans

Let’s Look!
Master Solicitation for Commodity Procurements (MSCP)

- When will the MSCP be updated?
  - As applicable FAR updates are effective
    - It depends -- 2 times per year?
  - As AGAR or AMS updates are needed
    - It depends – maybe annually?
Master Solicitation for Commodity Procurements (MSCP)

• How will the MSCP be updated?
  • Published in PDF on website
  • No amendments – just a new PDF
  • Changes in bold
  • Pay attention to the effective date!
Policy/Contractual Changes

✔ Master Solicitation for Commodity Procurements

Vendor Qualification Requirements
Vendor Qualification Requirements

- Single Vendor Qualification Requirements for AMS
- Incorporates Food Defense Plans
- Requires reaffirmation of financial responsibility approx. every 18 months

Let’s Look!